

Message Text

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ACTION IO-14

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FM AMEMBASSY VIENNA

TO SECSTATE WASHDC PRIORITY 7277

INFO USMISSION GENEVA PRIORITY

USMISSION USUN NEW YORK PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 VIENNA 06613

UNIDO

GENEVA FOR ECOSOC DEL/RIEMER

E.O. 11652:GDS

TAGS: ECOSOC, UNIDO

SUBJECT: UNIDO CONSTITUTION

REF: STATE 174518

1. SUMMARY. THIS CABLE RESPONDS TO REQUEST IN PARA 2
REFTEL FOR RECOMMENDATIONS ON HOW TO PROCEED WITH NEGOTIA-
TIONS ON A NEW CONSTITUTION FOR UNIDO AND REPORTS ON
MISSION'S DISCUSSIONS WITH OTHER PERMREPS IN VIENNA. END
SUMMARY.

2. I CONTINUE TO HOLD THE VIEW EXPRESSED IN VIENNA 3850
THAT WE SHOULD SEEK A NEGOTIATING FORUM OUTSIDE THE UNGA/
SECOND COMMITTEE CONTEXT FOR CONTINUATION OF THE DIALOGUE
ON CONVERSION OF UNIDO INTO A SPECIALIZED AGENCY. A
NUMBER OF SUBSTANTIVE AND LEGAL QUESTIONS REMAIN TO BE RE-
SOLVED AND THESE WILL REQUIRE THE CONCENTRATED ATTENTION
OF NEGOTIATORS OVER A REASONABLY EXTENSIVE PERIOD OF TIME.
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IN ADDITION TO THE PRACTICAL PROBLEM OF ARRANGING THE
NECESSARY FACILITIES AND PINNING DOWN DELEGATES FOR THE
NECESSARY TIME, ATTEMPTING TO NEGOTIATE IN THE POLITICAL
ATMOSPHERE OF THE 33RD UNGA WOULD VERY LIKELY INCREASE
THE PRESSURES FOR UNDESIRABLE COMPROMISE ON THE TEXT WHICH,
UNLIKE THE ORDINARY UNGA RESOLUTION, IS INTENDED FOR RAT-
IFICATION AND TO BECOME BINDING ON MEMBERS.

3. UNLESS THE G-77 SHOULD UNEXPECTEDLY BACK-OFF FROM THIS WHOLE EXERCISE, IT WILL UNDOUBTEDLY BE NECESSARY TO MAKE A SERIOUS ATTEMPT TO COMPLETE THE NEGOTIATIONS BEFORE THE 34TH UNGA. THIS SUGGESTS THAT THE 33RD UNGA SHOULD CALL FOR A NEW CONFERENCE IN THE FIRST HALF OF 1979. IDEALLY, ANY "FINAL" PLENIPOTENTIARY MEETING SHOULD BE PRECEDED BY FURTHER DISCUSSIONS AT THE EXPERT LEVEL DESIGNED TO CLARIFY POSITIONS (INCLUDING THAT OF GROUP D) AND BRIDGE REMAINING GAPS. THESE DISCUSSIONS COULD TAKE PLACE IN INTER-GROUP CONTACTS OF A MORE OR LESS STRUCTURED NATURE IN VIENNA OR NEW YORK OR IN THE FIRST PHASE OF A TWO-PHASE CONFERENCE. IN THE LATTER CASE WE SHOULD SEEK, AS WE DID LAST YEAR -- UNSUCCESSFULLY, TO PROVIDE FOR A TIME FOR REVIEW BETWEEN THE TWO PHASES OF THE CONFERENCE. I AGREE WITH ARGENTINE AMBASSADOR (SEE PARA 6 BELOW) THAT IT WOULD BE BEST TO CENTER FUTURE NEGOTIATIONS IN VIENNA BUT, LIKE MY OTHER VIENNA COLLEAGUES, AM SKEPTICAL THAT THIS IS A REALISTIC POSSIBILITY.

4. I BELIEVE THE USG POSTURE SHOULD BE ONE OF WILLINGNESS TO CONTINUE TO NEGOTIATE IN GOOD FAITH AND OF INTEREST IN FINDING CONSTRUCTIVE WAYS TO BRING MATTERS TO A SUCCESSFUL CONCLUSION. WE SHOULD NOT DRAG OUR FEET BUT WE SHOULD ALSO NOT REPEAT NOT TAKE THE LEAD IN ENCOURAGING FAST ACTION. DESPITE SOMEWHAT HOPEFUL PROSPECTS AT END OF

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MARCH 1978 CONFERENCE, MUCH WORK REMAINS TO BE DONE WITHIN GROUP B, THERE ARE DIFFICULT QUESTIONS TO RESOLVE WITH THE G-77 AND WITH GROUP D, AND THERE IS EVENTUALLY THE PROBLEM OF CONGRESSIONAL RATIFICATION.

5. GROUP B MEMBERS IN VIENNA WITH WHOM WE HAVE SPOKEN ARE UNANIMOUS IN SHARING VIEW THAT CONSTITUTIONAL NEGOTIATIONS SHOULD NOT TAKE PLACE DURING 33RD UNGA. (THIS WOULD, OF COURSE, NOT PRECLUDE INFORMAL CONTACTS AND DISCUSSIONS AMONG INTERESTED PARTICIPANTS AT THAT TIME). UK PERMREP CROMARTIE SAID HE HAD SEEN UK INSTRUCTIONS FOR CURRENT ECOSOC IN GENEVA; THRUST OF THESE INSTRUCTIONS IS TO STRONGLY RESIST NEGOTIATIONS IN OR PARALLEL WITH UNGA SESSION AND ONLY RELUCTANTLY TO GO ALONG IF NECESSARY IN LAST ANALYSIS. FRG PERMREP HOFFMANN CONSIDERS PRODUCTIVE NEGOTIATIONS IN UNGA "IMPOSSIBLE"; HE FAVORS NEW CONFERENCE, PERHAPS AT END OF FEBRUARY, BUT EMPHASIZES IMPORTANCE OF CAREFUL PREPARATION BEFORE ANY CONFERENCE CONVENES AND SUGGESTS INFORMAL INTRA-GROUP AND INTER-GROUP CONTACTS MIGHT BEGIN AFTER SUMMER BREAK. AUSTRIAN PERMREP WOLTE, WHOSE GOVERNMENT IS ONE OF MOST RELAXED IN GROUP B ON SUBSTANTIVE ASPECTS, NEVERTHELESS ARGUES

STRONGLY AGAINST ATTEMPTING TO NEGOTIATE LEGAL TEXT IN UNGA AND BELIEVES THAT THERE IS NO POINT IN CONTINUING NEGOTIATIONS AT ALL UNLESS IT IS CLEAR THAT THERE IS POLITICAL WILL ON ALL SIDES, INCLUDING WITHIN G-77, TO TRY TO BRIDGE GAPS. WOLTE SAID HE HAD RAISED THESE POINTS WITH YUGOSLAVIA'S COMMITTEE TWO REPRESENTATIVE WHO WAS RECENTLY IN AUSTRIA TO ATTEND A SEMINAR. THE YUGOSLAV, WHO HAS BEEN ONE OF VOCAL LEADERS IN PRESSING FOR PROGRESS ON CONSTITUTION, ADMITTED, ACCORDING TO WOLTE, THAT ACHIEVING G-77 CONSENSUS MAY BE A PROBLEM.

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C O N F I D E N T I A L SECTION 02 OF 02 VIENNA 06613

UNIDO

GENEVA FOR ECOSOC DEL/RIEMER

6. ARGENTINE PERMREP PULIT, WHO TENDS TO TAKE A MORE DETACHED VIEW THAN SOME OF HIS G-77 COLLEAGUES, TOLD US THAT HE DOES NOT SEE ANY POINT IN CONVENING A NEW NEGOTIATING CONFERENCE UNTIL THERE IS SUFFICIENT EVIDENCE OF CHANGE IN POSITIONS TO EXPECT A SUCCESSFUL OUTCOME. PULIT SAID HE HAD RECENTLY TALKED WITH ARGENTINE AMBASSADOR FROM NEW YORK WHO IS IN GENEVA FOR ECOSOC MEETING AND THE TWO OF THEM HAD AGREED THAT THE ATMOSPHERE IN NEW YORK AND GENEVA WAS "TOO POLITICAL" FOR THIS SORT OF NEGOTIATION. PULIT SAID HE WOULD FAVOR CONDUCTING INFORMAL CONVERSATIONS AND, EVENTUALLY, NEGOTIATIONS IN VIENNA WHERE DELEGATES "UNDERSTAND THE BACKGROUND". (PULIT WAS, OF COURSE, ONE OF THOSE WHO LOST FACE WHEN THE G-77 AT THE CONFERENCE IN NEW YORK RETREATED FROM THE UNDERSTANDINGS REACHED BY THEIR VIENNA COLLEAGUES IN THE IGC. EVERYONE

ELSE WITH WHOM WE HAVE SPOKEN QUESTIONS WHETHER IT IS
REALISTIC TO EXPECT THE NEW YORK G-77 TO PASS THE BALL
BACK TO VIENNA NOW.) BY CONTRAST, PERUVIAN PERMREP EX-
PRESSED CONCERN ABOUT POSSIBLE DELAY IN FINAL DECISION
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UNTIL 34TH UNGA AND SUGGESTED IT MIGHT BE USEFUL TO HAVE
INFORMAL WORKING GROUP BEGIN MEETING IN NEW YORK SOON.
VENEZUELAN, CUBAN AND PAKISTANI MISSION OFFICIALS IN
GROUP CONVERSATION AT SOCIAL FUNCTION INDICATED NO FIRM
VIEWS ON PROCEDURES BUT ONLY A GENERAL DESIRE TO SEE THE
JOB OF CONVERSION ACCOMPLISHED. IT SHOULD BE NOTED THAT
G-77 RANKS ARE THIN IN VIENNA AT PRESENT AND GROUP HAS NOT
MET IN RECENT WEEKS. LEARY

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